

EXHIBIT A

STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	SUMMONS AND COMPLAINT	CASE NO. 16-003838-CB Hon. Brian R. Sullivan
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2 Woodward Ave., Detroit MI 48226

Court Telephone No. 313-224-2447

Plaintiff Palmer Park Square, LLC	v	Defendant Scottsdale Insurance Company
Plaintiff's Attorney Patrick A. King, P-27701 33450 W 12 Mile Rd Farmington Hills, MI 48331-3350		Defendant's Attorney

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111[C])
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 3/24/2016	This summons expires 6/23/2016	Court clerk File & Serve Tyler
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

COMPLAINT *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.*

☒ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.

Family Division Cases

☐ There is no other pending or resolved action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties.

☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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General Civil Cases

☐ There is no other pending or resolved civil action arise out of the same transaction or occurrence as alleged in the complaint.

☐ An civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.

The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
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VENUE

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Place where action arose or business conducted	

3/29/16
Date

Patrick A King
Signature of attorney/plaintiff



If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

jp

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

PALMER PARK SQUARE, LLC,

Plaintiff,

Case No. 16-
Hon.

CB

v

SCOTTSDALE INSURANCE COMPANY,
a foreign insurance company,

Defendant.

16-003838-CB
FILED IN MY OFFICE
WAYNE COUNTY CLERK
3/24/2016 3:52:37 PM
CATHY M. GARRETT

PATRICK A. KING (P27701)
Attorneys for Plaintiff
Fabian, Sklar & King, P.C.
33450 West 12 Mile Road
Farmington Hills, MI 48331
(248) 553-2000 Fax: (248) 553-2020
pking@fabiansklar.com

There is no other pending or resolved civil action arising out
The transaction or occurrence alleged in the Complaint.

This case meets the statutory requirements of
MCL 600.8031 to be assigned to the Business Court.

/s/ Patrick A. King (P27701)
Patrick A. King, Attorney for Plaintiff

COMPLAINT

NOW COMES Plaintiff, PALMER PARK SQUARE, LLC, by and through its
attorneys, Fabian, Sklar & King, P.C., and for its Complaint against Defendant,
SCOTTSDALE INSURANCE COMPANY, says:

1. Plaintiff PALMER PARK SQUARE, LLC, is a Michigan limited liability company registered in the State of Michigan and maintaining their principal place of business in Wayne County, Michigan.

2. Defendant SCOTTSDALE INSURANCE COMPANY ("Scottsdale") is a foreign insurance company authorized to do and doing business in the County of Wayne, State of Michigan, with its principal place of business in Columbus, Ohio.

3. The amount in controversy exceeds the sum of Twenty-Five Thousand Dollars (\$25,000.00) and is within the jurisdiction of this court.

4. Scottsdale issued to Palmer Park Square, LLC policy no. CPS1462253, a copy of which is in Scottsdale's possession, covering property located at 843 Whitmore, Detroit, Michigan, from loss due to fire, theft, vandalism and other perils.

5. The above-mentioned policy was in full force and effect at all times relevant herein, including March 7, 2012.

6. On or about March 7, 2012 a vandalism loss occurred, damaging the business personal property owned by Plaintiff at the insured premises located at 843 Whitmore, Detroit, Michigan.

7. Plaintiff timely notified Defendant Scottsdale that it had suffered the losses above set forth.

8. Plaintiff delivered to Defendant Scottsdale, pursuant to the terms of the policy, satisfactory proof of the amount of its losses.

9. Section 2006 of the Insurance Code of 1956, as amended, same being MCL 500.2006, provides for the addition of twelve (12%) percent interest on claims where the

Defendant Insurer is shown to have failed to make timely payment to its insured within sixty (60) days of receiving satisfactory proof of the amount of loss.

10. Although Defendant Scottsdale Insurance Company has made payments to Plaintiff Palmer Park Square, LLC pursuant to the Appraisal Award entered on February 20, 2015 (Ex. 1), they have failed to pay penalty interest due and owing pursuant to MCL 500.2006.

WHEREFORE, Plaintiff PALMER PARK SQUARE, LLC prays for Judgment against Defendant SCOTTSDALE INSURANCE COMPANY, for whatever amount this Court deems fair and just, as well as costs and attorney fees.

Respectfully submitted,

FABIAN, SKLAR & KING, P.C.

/s/ Patrick A. King
Patrick A. King (P27701)
Attorney for Plaintiff
33450 West Twelve Mile Road
Farmington Hills, MI 48331
(248) 553-2000
pking@fabiansklar.com

Dated: March 24, 2016

EXHIBIT 1

APPRAISAL AWARD

Palmer Park Square, LLC vs. Scottsdale Insurance Company

Claim# 01508860

Location: 843 Whitmore Detroit MI

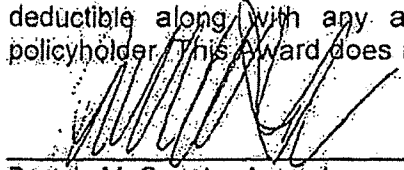
DOL: 3/7/2012

NOW COME the undersigned Appraisers and Umpire, appointed to act herewith, and certify that they have examined evidence of the vandalism damaged property in the above captioned matter in accordance with the appointment as Appraisers and Umpire and herewith report the following:

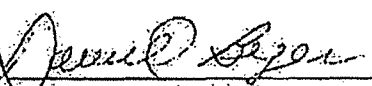
Building ACV Value \$1,600,000.00

Building ACV Loss \$1,642,796.76

THIS AWARD is subject to all policy provisions, policy conditions, applicable deductible along with any and all prepayments made to, or on behalf of, the policyholder. This Award does not include penalty interest.


Dennis McQuade, Appraiser

2/20/15
Date


David Beger, Appraiser

2-20-15
Date


Chris Ammann, Umpire

2/20/15
Date

DEB:rp